

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NEAR INFRARED CHEMICAL IMAGING MICROSCOPE

\_\_\_\_\_, the  
specification of which (check one):

\_\_\_\_\_ is attached hereto  
☒ was filed on October 12, 2001 as Application Serial No. 09/976,391  
\_\_\_\_\_ and was amended on \_\_\_\_\_, if applicable

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed		
	Yes No		
(Number)	(County)	(Date/Month/Year Filed)	

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/239,969</u>	<u>10/13/2000</u>	<u>pending</u>
(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Lynn J. Alstadt, Reg. No. 29,362; Jose J. Aparicio, Reg. No. 48,837; George P. Baier, Reg. No. 26,717; Dennis M. Carleton, Reg. No. 40,938; Craig G. Cochenour, Reg. No. 33,666; Michael L. Dever, Reg. No. 32,216; John E. Grosselin, III, Reg. No. 38,478; Bryan H. Opalko, Reg. No. 40,751; Michael G. Panian, Reg. No. 32,623; and Carla J. Vrsansky, Reg. No. 36,958.

Address all telephone calls to Michael L. Dever, Esquire

Address all correspondence to Buchanan Ingersoll Professional Corporation  
One Oxford Centre  
301 Grant Street, 20th Floor  
Pittsburgh, Pennsylvania 15219-1410  
412-562- 1637

030687

This copy of the declaration is  
intended for the attached  
application submitted herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Patrick J. Treado  
Inventor's Signature *Patrick J. Treado* Date 12/11/01  
Residence Pittsburgh, Pennsylvania Citizenship United States  
Post Office Address 315 S. Lexington Ave., Pittsburgh, PA 15208

Full name of second joint inventor Matthew Nelson  
Inventor's Signature *Matthew Nelson* Date \_\_\_\_\_  
Residence Pittsburgh, Pennsylvania Citizenship United States  
Post Office Address 3941 Dowling Avenue, Pittsburgh, PA 15221

Full name of third joint inventor Scott Keitzer  
Inventor's Signature *Scott Keitzer* Date 12/11/01  
Residence Export, Pennsylvania Citizenship United States  
Post Office Address 207 Lockwood Road, Export, Pennsylvania 15632

Full name of fourth joint inventor \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of fifth joint inventor \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*700063882\*

FEBRUARY 04, 2004

PTAS

BUCHANAN INGERSOLL, P.C.  
DUANE A. STEWART III  
301 GRANT STREET  
20TH FLOOR  
PITTSBURGH, PA 15219

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/03/2004

REEL/FRAME: 014302/0906  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
KEITZER, SCOTT

DOC DATE: 01/26/2004

ASSIGNOR:  
TREADO, PATRICK J.

DOC DATE: 01/14/2004

ASSIGNOR:  
NELSON, MATTHEW

DOC DATE: 01/12/2004

ASSIGNEE:  
CHEMIMAGE CORPORATION  
7301 PENN AVENUE  
PITTSBURGH, PENNSYLVANIA 15208

SERIAL NUMBER: 09976391  
PATENT NUMBER:

FILING DATE: 10/12/2001  
ISSUE DATE:

OPR/ASSIGNMENTS

2/4/04 3:47 PAGE 3/6 RightFAX

014302/0906 PAGE 2

SAUNDRA BALLENGER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

02/03/2004  
700063882

FORM PTO-1619A  
October 2003 Edition  
USPTO 0891-0029

U.S. Department of Commerce  
Patent and Trademark Office  
PATENT

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

**TO: The Commissioner of Patents and Trademarks:** Please record the attached original document(s) or copy(ies).

**Submission Type**

☒ New

☐ Resubmission (Non-Recordation)  
Document ID# \_\_\_\_\_

☐ Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

☐ Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

**Conveyance Type**

☒ Assignment ☐ Security Agreement

☐ License ☐ Change of Name

☐ Merger ☐ Other \_\_\_\_\_

☐ U.S. Governmental  
(For Use ONLY by U.S. Government Agencies)

☐ Departmental File ☐ Secret File

**Conveying Party(ies)** ☒ Mark if additional names of conveying parties attached

Name (line 1) Patrick J. Treado Expiration Date  
Month Day Year  
01 14 04

Name (line 2) \_\_\_\_\_

**Second Party**

Name (line 1) Matthew Nelson Expiration Date  
Month Day Year  
01 12 04

Name (line 2) \_\_\_\_\_

**Receiving Party** ☐ Mark if additional names of receiving parties attached

Name (line 1) ChenImage Corporation ☐ If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be a  
separate document from  
Assignment.)

Name (line 2) \_\_\_\_\_

Address (line 1) 7301 Penn Avenue

Address (line 2) \_\_\_\_\_

Address (line 3) Pittsburgh Pennsylvania 15208  
City State Zip

**Domestic Representative Name and Address** Enter for the first Receiving Party only.

Name \_\_\_\_\_

Address (line 1) \_\_\_\_\_

Address (line 2) \_\_\_\_\_


Address (line 3) \_\_\_\_\_

Address (line 4) \_\_\_\_\_

**FOR OFFICE USE ONLY**

Public limited reporting for this collection of information is estimated to average approximately 10 minutes per cover sheet to be completed, including time for reviewing the document and gathering the data needed to complete the cover sheet. Send comments regarding this estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0271-0272), Washington, D.C. 20503. See OMB Information Collection Budget Package 0271-0272, Patent and Trademark Assignment Form. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

**Mail documents to be recorded with required cover sheet(s) information to:**  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

FORM PTO-1619B Rev. 02/03 CDS 02/03/02		Page 2		U.S. Department of Commerce Patent and Trademark Office <b>PATENT</b>	
<b>Correspondent Name and Address</b>				Area Code and Telephone Number <b>412-562-1622</b>	
Name <b>Duane A. Stewart III</b>					
Address (line 1) <b>Buchanan Ingersoll, P.C.</b>					
Address (line 2) <b>301 Grant Street, 20th Floor</b>					
Address (line 3) <b>Pittsburgh, PA 15219</b>					
Address (line 4)					
<b>Pages</b> Enter the total number of pages of the attached conveyance document including any attachments. # <b>2</b>					
<b>Application Number(s) or Patent Number(s)</b> <input type="checkbox"/> Mark if additional numbers attached					
Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).					
Patent Application Number(s)			Patent Number(s)		
<b>09/976,391</b>					
If this document is being filed together with a U.S. Patent Application, enter the date the patent application was signed by the first named inventing inventor. Month Day Year					
<b>Patent Cooperation Treaty (PCT)</b>					
Enter PCT application number <input type="checkbox"/> PCT <input type="checkbox"/> PCT <input type="checkbox"/>					
only if a U.S. Application Number has not been assigned. <input type="checkbox"/> PCT <input type="checkbox"/> PCT <input type="checkbox"/>					
<b>Number of Properties</b> Enter the total number of properties involved. # <b>1</b>					
<b>Fee Amount</b> Fee Amount for Properties Listed (37 CFR 3.41): \$ <b>40.00</b>					
Method of Payment: Enclosed <input type="checkbox"/> Deposit Account <input checked="" type="checkbox"/>					
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)					
Deposit Account Number: # <b>02-4553</b>					
Authorization to charge additional fees: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
<b>Statement and Signature</b>					
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.					
<b>Duane A. Stewart III</b>				<b>February 3, 2004</b>	
Name of Person Signing		Signature		Date	

<b>FORM PTO-1619C</b> <small>October 2003 Edition 3589.4/272</small>	<b>RECORDATION FORM COVER SHEET</b> <b>CONTINUATION</b> <b>PATENTS ONLY</b>	<small>U.S. Department of Commerce Patent and Trademark Office</small> <b>PATENT</b>																																				
<b>Conveying Party(ies)</b> <input type="checkbox"/> Mark if additional names of conveying parties attached																																						
<b>Enter additional Conveying Parties</b>		<small>Execution Date</small> Month Day Year																																				
Name (line 1)	<u>Scott Keitzer</u>	01 26 04																																				
Name (line 2)																																						
Name (line 3)		<small>Execution Date</small> Month Day Year																																				
Name (line 4)																																						
Name (line 5)		<small>Execution Date</small> Month Day Year																																				
Name (line 6)																																						
<b>Receiving Party(ies)</b> <input type="checkbox"/> Mark if additional names of receiving parties attached																																						
<b>Enter additional Receiving Parties</b>																																						
Name (line 1)		<input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be in a separate document from Assignment.)																																				
Name (line 2)																																						
Address (line 1)																																						
Address (line 2)		<input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be in a separate document from Assignment.)																																				
Address (line 3)																																						
Address (line 4)																																						
Name (line 1)		<input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be in a separate document from Assignment.)																																				
Name (line 2)																																						
Address (line 1)																																						
Address (line 2)		<input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be in a separate document from Assignment.)																																				
Address (line 3)																																						
Address (line 4)																																						
<b>Application Number(s) or Patent Number(s)</b> <input type="checkbox"/> Mark if additional numbers attached																																						
<small>Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).</small>																																						
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="3">Patent Application Number(s)</th><th colspan="3">Patent Number(s)</th></tr></thead><tbody><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></tbody></table>			Patent Application Number(s)			Patent Number(s)																																
Patent Application Number(s)			Patent Number(s)																																			

**ASSIGNMENT**

WHEREAS, We, Patrick J. Treado, Matthew Nelson and Scott Keitzer, residing at Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; and Westmoreland County, Export, Pennsylvania respectively, have invented certain new and useful apparatus, inventions, discoveries and/or improvements disclosed in a U.S. patent application entitled "Near Infrared Chemical Imaging Microscope" for which an application for United States Letters Patent was filed in the United States Patent and Trademark Office on October 12, 2001 bearing Serial No. 09/976,391;

AND WHEREAS, ChemImage Corporation, having a place of business at 7301 Penn Avenue, Pittsburgh, Pennsylvania 15208 (hereinafter the "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the apparatus, inventions, discoveries, and improvements therein disclosed;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to us by said Assignee, receipt whereof we hereby acknowledge, we do hereby assign, sell, transfer, and set over unto said Assignee the entire right, title, and interest in and to said application and the apparatus, inventions, discoveries and improvements therein disclosed for the United States and all foreign countries and any Letters Patent which may issue therefor in the United States and all foreign countries and all divisions, reissues, continuations, renewals, and/or extensions thereof, including all priority rights under the International Convention associated therewith for each country and the United States, said Assignee to have and to hold the interests herein assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues, continuations, renewals, and/or extensions thereof, respectively, as fully and entirely as the same would have been held and enjoyed by us had this Assignment not been made.

The Commissioner of Patents and Trademarks is requested to issue such Letters Patent in accordance herewith. We covenant that we are the lawful owners of the said application, apparatus, inventions, discoveries and improvements, that the same are unencumbered, that no license has been granted to make, use, or vend the said apparatus, inventions, discoveries or improvements or any of them, and that we have the full right to make this Assignment.

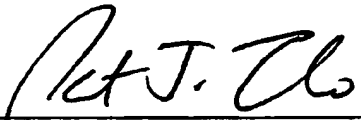
And for said consideration, we agree jointly and individually that we will communicate to said Assignee or the representatives thereof any facts known to us respecting said apparatus, inventions, discoveries and improvements, and will, upon request, but without expense to us, testify in any legal proceedings, sign all lawful papers, execute all divisional, reissue, continuation, renewal, and/or extension applications, make all rightful oaths, and generally do all other and further lawful acts, deemed necessary or expedient by said Assignee or by counsel for said Assignee, to assist or enable said Assignee to obtain and enforce full benefits from the rights and interests herein assigned, and, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. This Assignment shall be binding upon our heirs,




executors, administrators, and/or assigns, and shall inure to the benefit of the heirs, executors, administrators, successors, and/or assigns, as the case may be, of said Assignee.

And for said consideration, the undersigned hereby agrees to execute, at the request of said Assignee, all documents in connection with any application for foreign letters patent therefor.

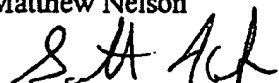
Executed: 1/14/04

  
\_\_\_\_\_  
Patrick J. Treado

Executed: 1-12-04

  
\_\_\_\_\_  
Matthew Nelson

Executed: 1/26/04

  
\_\_\_\_\_  
Scott Keitzer

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTORNEY DOCKET NO. 030687

<b>Group Art Unit:</b>	2877	:
		:
<b>Examiner:</b>	Layla G. Lauchman	:
		:
<b>Applicant:</b>	TREADO et al.	:
		:
<b>Serial No.:</b>	Pending	:
		:
<b>Filing Date:</b>	February 5, 2004	:
<b>Title:</b>	NEAR INFRARED CHEMICAL IMAGING MICROSCOPE (Continuation of Serial No. 09/976,391)	

**ASSOCIATE POWER OF ATTORNEY**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As an attorney of record in the above-referenced patent application, I hereby appoint, pursuant to 37 C.F.R. § 1.34(b), the following attorney as my associate to prosecute and to transact all business in the Patent and Trademark Office connected therewith: Duane A. Stewart III, Registration No. 54,468 of the firm of Buchanan Ingersoll PC.

Respectfully Submitted,



Michael L. Dever  
Registration No. 32,216  
BUCHANAN INGERSOLL PC  
One Oxford Centre, 21st Floor  
Pittsburgh, PA 15219  
(412) 562-1637